Appl. No. 09/674,101 Amdt. Dated March 22, 2004 Reply to Office Action of December 22, 2003

reply to office Action of Decem

Remarks/Arguments:

Claims 1-17 are pending in the instant application. In the outstanding Office Action, the

Examiner has rejected claims 1, 2, 4, 5, 7-12, 15 and 17 under 35 U.S.C. § 102(e) as

being anticipated by U.S. Patent No. 6,397,058 to Thibert et al. (hereinafter, Thibert).

The Examiner has further rejected claims 3, 13, 14 and 16 under 35 U.S.C. § 103(a) as

being obvious over Thibert in view of International Publication No. WO 98/05153 to

Alperovich et al (hereinafter, Alperovich).

The claim amendments include the following: In claim 1, the Applicant has deleted the

terms "such as exchanges" to avoid protracted litigation after issuance concerning claim

construction of that term. Applicant has further deleted twice the term "the steps of" to

ensure claim 1 does not imply that the separate clauses be executed in the order recited.

In claims 9 and 10, the Applicant has deleted unnecessary parenthetical acronyms. In

claims 12-15 and 17, Applicant has deleted parenthetical reference numbers that are

relics of the foreign priority document. None of these are considered narrowing

amendments, and none are done for reasons of patentability.

Applicant respectfully notes that the priority date of the current application is May 5,

1998. While the PCT filing date is April 28, 1999, that PCT filing date claims priority to

Finland Patent Application No. 980991 that was filed on May 5, 1998. Conversely, the

earliest priority date seen for Thibert is September 9, 1998. Via several voicemail

exchanges, the undersigned presented the above dates and the Examiner agreed that

Thibert fails to qualify as prior art against the present application. The Examiner's

voicemail of March 11, 2004 to the undersigned requested the above priority-date

challenge to Thibert be made in a written response. Applicant hereby submits that

Thibert fails to qualify as prior art under 35 U.S.C. § 102, and is not available as prior art

against the present application. Each and every rejection under 35 U.S.C. §§102 and 103

rely on Thibert, and is therefore moot.

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Applicant submits that the above detailed argument successfully traverses all outstanding rejections. Applicant respectfully requests that the Examiner withdraw all rejections and pass claims 1-17 to issuance without further delay.

Respectfully submitted:

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March 22, 2004

Date

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 22, 2004

Date

Elaine F. Mian